

06-24-10

*[Handwritten signature]*

I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 814072260 US on the date shown below in a box addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 22, 2010 Signature: *[Signature]*

(Diane Blevins)

Patent

Docket No. 532212000624

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Thomas L. CANTOR et al.

Serial No.: 10/760,091

Filing Date: January 16, 2004

For: METHODS FOR DIFFERENTIATING  
AND MONITORING PARATHYROID  
AND BONE STATUS RELATED  
DISEASES

Examiner: C. Cheu

Group Art Unit: 1641

Confirmation No.: 2110

PETITION TO EXPUNGE INFORMATION  
UNDER 37 C.F.R. § 1.59 (b)

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.59(b) and MPEP § 724, Applicants hereby petition the Commissioner to have the four documents submitted in the above-identified application with the Supplemental Information Disclosure Statement filed under MPEP § 724.02 on June 22, 2010 expunged upon allowance or abandonment of this application.

Pursuant to MPEP § 724.05(A) and (B), Applicants believe expungement of the information is appropriate for the four documents listed on the attached Form PTO/SB/08a/b because they are **SUBJECT TO PROTECTIVE ORDER**. The documents are from *Scantibodies Laboratory, Inc. v. Immunotopics, Inc.*, Case No. 2009-1481 at the United States Court of Appeals for Federal Circuit. The information has not otherwise been made public.

06/24/2010 MBELETE1 00000021 031952 10760091

01 FC:1463 200.00 DA

sd-506487

Applicants acknowledge that upon the grant of this petition and return of the documents that are **SUBJECT TO PROTECTIVE ORDER**, Applicants will preserve the documents for the entire term of the patent in accordance with MPEP § 724.05 (C). Please return the documents to the undersigned upon allowance, issue, or abandonment of this application.


Pursuant to MPEP § 725.05 (D), Applicants hereby state that this petition is being submitted by, or on the behalf of, the party in interest who originally submitted the information.

Pursuant to MPEP § 725.05 (E), the Commissioner is hereby authorized to charge the required fee under 37 C.F.R. § 1.17(g) for a petition under 37 C.F.R. § 1.59(b) to **Deposit Account No. 03-1952** referencing docket no. 532212000624. Fee Transmittal (form PTO/SB/17p) is attached.

In the unlikely event that the transmittal form is separated from this document and the U.S. Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 532212000624.

Dated: June 22, 2010

Respectfully submitted,

By   
Peng Chen  
Registration No.: 43,543  
MORRISON & FOERSTER LLP  
12531 High Bluff Drive, Suite 100  
San Diego, California 92130-2040  
(858)720-5117